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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/020,646 10/30/2001 Thomas S. Grason 2028

49584 7590 05/25/2006

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EXAMINER

DINH, DUNG C

ART UNIT PAPER NUMBER

2153

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,646

Applicant(s)

GRASON ET AL.

Examiner

Dung Dinh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Arguments

Applicant's arguments filed 3/21/2006 have been fully considered but they are not persuasive in view of a new ground of rejection below.

Claims 23-31 are cancelled.

Claims 1-22 are pending for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, 8-10, 12, 14, 15, 17, 19, & 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bavadekar (US Pub. No 2003/10009571) and further in view of Stumm US patent 5,768,528 and Noble US patent 5,978,842.

In considering independent claim 1, Bavadekar discloses a distributed information processing system, comprising:

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- a client device interface (fig. 313, #206, "HTTP proxy server") adapted to receive requests for electronic information ("web pages", [0034]) from a plurality of remote devices (fig. 313, #200A & 200B) (fig. 613, steps 606 & 620, [0101]);

- a stateless module manager (fig. 3B #208, "web server") adapted to receive and route said requests from said client device interface (fig. 613, steps 624 & 626, [0101]-[0102]); and

[The module manager is inherently stateless given that the HTTP is stateless request/response protocol.]

- a plurality of information modules (fig. 313, #202, "brokers" [0080]), wherein

- said information modules register with said stateless module manager and module manager routes said request to an appropriate one of said plurality of information modules in accordance with a type of information requested ([0031] & [0080]).

In referencing claim 3, Bavadekar discloses:

- the appropriate one of said plurality of information modules (brokers) generates a response (message formatted as a "replies", [0004]) that is returned to said stateless module manager (Web server), and wherein said stateless module manager routes said response to said client interface device for delivery to a requestor (fig. 713, steps 720, 726, & 732, [0109]-[0110]).

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Since, Bavadekar provide content upon request, Bavadekar request constitute on-demand request. Bavadekar does not specifically disclose the receiving plurality of request types comprising schedule request and event driven request. Schedule response from a subscription service and event driven requests when certain criteria is met are well known in the art. In similar field of information distribution, Stumm discloses the client device can sent schedule request which are sent when a user desires a scheduled responses from a subscription provider (col.5 lines 25-45). Noble teaches a user to send event driven request to receive information when criteria are met (pages have changed - see abstract). Given the teaching of Stumm and Noble, it would have been obvious for one of ordinary skill in the art to have schedule and event driven requests because it would have improved the system by permitting the user to receive information timely and according to his own schedule.

In considering claims 4, 14, & 19, Bavadekar discloses:

- requests and responses are formatted as Java objects ([0009], [0014], [0073]).

In considering claims 5, 15, & 20, Bavadekar discloses:

- requests are made to said stateless module manager (Web server) as one of a synchronous or asynchronous request, wherein

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synchronous requests are handled on a first-in-first-out basis, and wherein asynchronous requests are processed and returned when completed ([0026], [0069]).

In referencing claim 8, Bavadekar discloses:

- information modules are loaded locally and remotely, wherein local modules reside on a same physical device as said stateless module manager, and wherein remote modules are located on other devices [0075].

In referencing claim 9, Bavadekar discloses:

- communication between locally loaded modules and said stateless module manager is accomplished via memory calls, object inheritance or inter-process communication [0075].

In referencing claim 10, Bavadekar discloses:

- communication between remotely loaded modules and said stateless module manager are accomplished via TCP/IP sockets ([0033], [0081]).

16. In referencing to claims 12 & 17, Bavadekar discloses a method or receiving and responding to request for electronic information in a distributed information processing system, the method comprising:

- receiving a request for electronic information ("web pages", [0034]) at a client device interface (fig. 3B, #206, "HTTP proxy server") (fig. 613, steps 606 & 620, [0101]);

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- forwarding said request to a stateless module manager (fig. 3B #208, "web server") (fig. 613, step 624, [0101]);
- consulting a registry of available ("ready") information modules (fig. 313, #202, "brokers") [0080];
- forwarding said request to an appropriate information module as determined in accordance with a type of information requested (fig. 613, step 626, [0031],[0102]).

Claims 6, 16, & 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bavadekar, Stumm and Noble as applied to claim 1 ,above, and further in view of Burd et al. (US Patent No. 6,757,900).

In considering claims 6, 16 & 21, while Bavadekar inherently discloses a stateless module manager, Bavadekar does not explicitly disclose creating and discarding instances of the module manager. Nonetheless, in analogous art, Burd discloses a stateless module manager adapted to receive requests for electronic information from remote devices [fig. 2, steps 200-202, col. 4, lines 41-48]. Burd further discloses:

- instances of said stateless module manager are created each time a new request is received and discarded after the request has been handled [fig. 2, step 212, col. 8, lines 44-65].

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Given the teachings of Burd, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system/method disclosed by Bavadekar where instances of the stateless module manager are created each time a new request is received and discarded after the request has been handled. The motivation, as suggested by Burd, would be to clean up and close the connection after the request has been handled [col. 15, lines 31-40].

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bavadekar, Stumm, Noble and Burd as applied to claim 6 above, and further in view of Hunt (US Pub. No. 2002/10087657).

In referencing claim 7, while Bavadekar in view of Burd disclose stateless instances of a module manager, Bavadekar in view of Burd do not explicitly disclose a multi-threaded instance of a module manager. Nonetheless, in analogous art, Hunt discloses a system (see fig. 4), comprising a stateless module manager (fig. 4, #4, "server") adapted to receive requests from a remote device (fig. 4, #402) (fig. 6, [0048]). Hunt further discloses:

- instances of said module manager are stateless and multi-threaded ([0033], [0050]).

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Given the teachings of Hunt, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system/method disclosed by Bavadekar and Burd where instances of the stateless module manager multithreaded. This would have been a desirable feature because multiple requests could be serviced concurrently for improved efficiency.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bavadekar, Stumm and Noble as applied to claim 1 above, and further in view of Langseth et al. (US Patent No. 6,741,980).

In considering claim 11, while Bavadekar discloses a information modules, Bavadekar does not explicitly disclose consulting a subscriber database. Nonetheless, in analogous art, Langseth discloses a module manager adapted to receive request for electronic information from a plurality of client devices [fig.

2A, col. 1, lines 12-23]. Langseth further discloses:

- information is sent by said information modules (fig. 2A, "channels); and said subscription database (fig. 2A, ;426) is consulted to determine to which clients the information should be forwarded [col. 4, lines 7-15, col. 8, lines 30-36].

Given the teachings of Langseth, at the time of the invention, it would have been obvious to one of ordinary skill in

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the art to modify the system/method disclosed by Bavadekar where a subscriber database is consulted to determine to which clients the information should be forwarded. The motivation, as suggested by Langseth, would have been to forwarded information could be personalized to the client's desires [col. 4, lines 7-15].

Claims 13 & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bavadekar, Stumm and Noble, in view of Langseth, and further in view of Masters et al. (US Patent No. 6,374,300).

In considering claims 13 & 18, Langseth implicitly discloses:

- maintaining a list of supported services provided by each of said information modules [col. 7, lines 10-15, 45-50, col. 26, lines 26-39].

Both Bavadekar and Langseth do not explicitly disclose handling service collisions. Nonetheless, in analogous art, Masters discloses a system for receiving and responding to requests for electronic information (abstract). Masters further discloses:

- handling service collisions if plural information modules (fig. 1A, #120, "node servers") are capable of responding to said type of information such that only one information module processes said request [fig. 2A, step 128, col. 7, lines 41-62].

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Given the teachings of Masters, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system/method disclosed by Bavadekar and Langseth to handle service collisions of plural information modules. The motivation as suggested by Masters, would be to load balance the request to the optimal information module [col. 7, lines 41-62].

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bavadekar, Stumm, Noble and Burd, and further in view of Hunt, Langseth, and Masters.

In considering independent claim 22, see the combined rejections for claims 1, 3, 6, 8-10, & 13 above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action

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is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner Sean Reilly will take over the examination of this application starting May 29, 2006. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is (571) 272-4228.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (571) 272-3949.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dung Dinh
Primary Examiner
May 20, 2006